

## Message Text

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ACTION OES-04

INFO OCT-01 IO-10 ISO-00 ACDA-05 CIAE-00 INR-07 L-02

NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 PA-01 PRS-01

USIA-06 /054 W

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P 051445Z MAY 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 5804

INFO AEC GERMANTOWN PRIORITY

LIMITED OFFICIAL USE IAEA VIENNA 3849

E.O. 11652: N/A

TAGS: PARM, TECH, IAEA, US

SUBJECT: NEGOTIATION OF SAFEGUARDS AGREEMENT PURSUANT TO US  
VOLUNTARY OFFER

REF: (A) STATE 098323; (B) TWX 301430Z SLAWSON/LABOWITZ;  
(C) IAEA VIENNA A-118, MARCH 19, 1975

1. UPON RECEIPT REFTEL A, I MET WITH MAHY, USERDA AND  
HOUCK AND MARTIN, USACDA, WHO THEN JOINED IN MEETING  
WITH LOPEZ-MENCHERO, FRENZEL AND RHYZOV APRIL 30.

2. ADDRESSING EACH PORPOSAL OUTLINED IN NUMBERED PARAS  
REFAIR, U.S. SIDE CONVEYED COMMENTS CONTAINED NUMBERED  
PARAS REFTEL A. ONLY IMMEDIATE REACTION WAS TO PARA 5  
REFTEL A, ADDRESSING ARTICLE 12.A OF AGREEMENT. IT DEVELOPED  
THAT IN TRANSMITTING SECRETARIAT PROPOSAL IN PARA E  
REFAIR, TWO LINES WERE INADVERTANTLY OMITTED AND  
THAT INTRODUCTORY PART SECRETARIAT PROPOSAL SHOULD HAVE  
READ: "IF THE UNITED STATES INTENDS TO EXERCISE ITS  
RIGHT TO WITHDRAW NUCLEAR MATERIAL FROM ACTIVITIES IN  
FACILITIES IDENTIFIED BY THE AGENCY PURSUANT TO ARTICLES  
2.B AND 39.B AND TO TRANSFER SUCH MATERIAL TO A DESTINA-  
TION OTHER THAN A FACILITY INCLUDED IN THE LIST ESTABLISHED  
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AND MAINTAINED PURSUANT TO ARTICLES 1.B AND 34, THE

FOLLOWING PROCEDURES SHALL APPLY:".

3. AFTER DISCUSSION, IN WHICH U.S. SIDE POINTED OUT UNNECESSARY EFFORT INVOLVED IN NOTIFICATION OF EVERY TRANSFER, INCLUDING MANY CONCERNING QUANTITIES OF LESS THAN ONE EFFECTIVE KG NUCLEAR MATERIAL, TO WHICH SECRETARIAT WAS SYMPATHETIC, U.S. SIDE SUGGESTED DELETION OF PHRASE "DESTINATION OTHER THAN A FACILITY" AND REPLACEMENT BY PHRASE "FACILITY OTHER THAN ONE". THUS, TRANSFERS TO BE SUBJECT OF NOTIFICATION WOULD ONLY BE THOSE FROM A SELECTED FACILITY TO A FACILITY (AS DEFINED IN ARTICLE 90.I OF AGREEMENT) EXCLUDED FROM ELIGIBLE LIST; I.E., FACILITY NOT RPT NOT ASSOCIATED WITH ACTIVITIES WITH DIRECT NATIONAL SECURITY SIGNIFICANCE.

4. MISSION BELIEVES SECRETARIAT PROPOSAL FOR ARTICLE 12.A, AS REPORTED PARA. E REPAIR AS MODIFIED BY TWO FOREGOING PARAS, WILL SATISY SECRETARIAT'S TECHNICAL SAFEGUARDS OBJECTIVE SET FORTH PARA E REPAIR, THEREBY AVOIDING UNDESIRABLE PRECEDENT FOR NNWS'S. NOTE THAT NONE OF OUR REPORTING SHOULD HAVE LED TO ASSUMPTION THAT SECRETARIAT'S OBJECTIVE HAD ANYTHING TO DO WITH EQUALIZING BURDEN RE NOTIFICATION OF EXPORTS BY NNWS'S.

5. SECRETARIAT HAS BEEN FURNISHED WITH CLEAN DRAFT OF AGREEMENT, DATED MAY 2, INCORPORATING ALL COMMENTS REFTEL A (EXCEPT FOR ARTICLE 12.A, FOR WHICH VERSION DESCRIBED FOREGOING PARA IS INCLUDED AD REFERENDUM) PLUS PROPOSED TEXT ARTICLE 34.C. NEW DRAFT PROTOCOL TEXT ALSO FURNISHED SECRETARIAT, INCORPORATING SOME OF IDEAS INCLUDED IN OUTLINE BY RAMES, TRANSMITTED BY IAEA VIENNA A-41, 3 FEB. 1975. COPIES BOTH TEXTS AND TRANSMITTAL LETTER TO LOPEZ-MENCHERO HAND CARRIED BY MAHY, WHO SHOULD BE IN HIS OFFICE MAY 5. ADDITIONAL COPIES BEING POUCHED.

6. RE SCHEDULE REQUESTED REFTEL B, EARLIEST DATE WORKING STEIN (WHO HAS REPLACED RAMES ON TEAM) ON DUTY TRAVEL MAY 5 THRU MAY 12 AND ROMETSCH'S ABSENCE FOR NPT REV. CON. DURING MAY. (LOPEZ-MENCHERO HAS INDICATED HE WILL NOT SIGN OFF WITHOUT ROMETSCH'S O.K.) THERE IS POSSIBILITY LIMITED OFFICIAL USE

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THAT STEIN, ROMETSCH AND LOPEZ-MENCHERO WILL BE ABLE TO GET TOGETHER SOMETIME AFTER MID-MAY, WHICH WOULD LEAD TO FORMAL RESPONSE BY WEEK JUNE 2. OTHERWISE, NEGOTIATIONS MAY BE DELAYED WHILE NEW LEGAL MEMBER OF TEAM BECOMES FAMILIAR WITH SUBJECT, IN LIGHT STEIN'S RESIGNATION FROM AGENCY EFFECTIVE IMMEDIATELY FOLLOWING JUNE BOARD.

7. COMMENTS RE ARTICLES 12.A AND 34.C OF THE AGREEMENT

AND RE PROTOCOL REQUESTED PRIOR MAY 13, IN ORDER THAT  
SECRETARIAT REVIEW BE BASED UPON TEXT ACCEPTABLE TO U.S.  
LABOWITZ

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NUCLEAR AGREEMENTS, NUCLEAR SAFEGUARDS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 05 MAY 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975IAEAV03849  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750158-0356  
**From:** IAEA VIENNA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750581/aaaacwqp.tel  
**Line Count:** 118  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION OES  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 098323, 75 TWX 301430Z  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 APR 2003 by ElyME>; APPROVED <02 APR 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** NEGOTIATION OF SAFEGUARDS AGREEMENT PURSUANT TO US VOLUNTARY OFFER  
**TAGS:** PARM, TECH, US, IAEA  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006